

04-13-05

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PTO/SB/30 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# Request for Continued Examination (RCE) Transmittal

Address to:  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/700,099
Filing Date	December 11, 2000
First Named Inventor	Bernd Fischer
Art Unit	1774
Examiner Name	Tamra Dicus
Attorney Docket Number	D078 1090

## This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
ii. ☐ Other \_\_\_\_\_

- b. ☒ Enclosed

- i. ☒ Amendment/Reply

- iii. ☐ Information Disclosure Statement (IDS)

- ii. ☐ Affidavit(s)/ Declaration(s)

- iv. ☒ Other Petition for Extension of Time

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)  
b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- The Director is hereby authorized to charge the following fees, or credit any overpayments, to  
a. ☒ Deposit Account No. 09-0528. I have enclosed a duplicate copy of this sheet.

- i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

- iii. ☐ Other 00 00.000 1001:34 10

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- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>David E. Wigley</i>	Date	April 12, 2005
Name (Print/Type)	David E. Wigley, Ph.D.	Registration No.	52,362

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>Jenny Vicente</i>
Name (Print/Type)	Jenny Vicente
Date	April 12, 2005

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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01 FC:1801 790.00 DA



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Fischer, *et al.*

Serial No.: 09/700,099

Confirmation No.: 2645

Filed: December 11, 2000

For: LOW-EMISSION FLOOR COVERING

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Group Art Unit: 1774


Examiner: Tamra Dicus

Att'y Docket: D078.1090  
(41461.0010.0)

Client Docket: D 2765-jh/jh

AMENDMENTS AND REMARKS UNDER 37 C.F.R. § 1.114  
IN RESPONSE TO FINAL OFFICE ACTION DATED OCTOBER 18, 2004

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
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Sir:

**INTRODUCTORY COMMENTS:**

In response to the Final Office Action dated October 18, 2004, a response which is due April 18, 2004 by virtue of the Petition for a 3-month extension of time and requisite fee filed herewith, Applicants file a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 and the following amendments and remarks.

**A Complete Listing of Claims** begins on page 2 of this paper.

**Remarks** begin on page 5 of this paper.